



U.S. Department of Justice

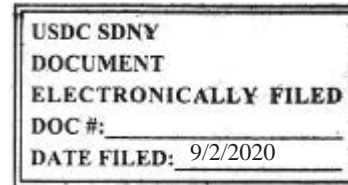
United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

August 26, 2020

By ECF

Hon. Alison J. Nathan
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007



Re: United States v. Levanger Belcher, 96 CR 789 (AJN)

Dear Judge Nathan:

The parties jointly and respectfully write in response to the Court's order of June 25, 2020. In that order, the Court directed the parties to submit a letter advising the Court whether the parties seek to proceed by videoconference, and whether the parties seek a further adjournment.

The parties respectfully request to proceed on September 9, 2020, with a telephonic conference. The defendant is currently on bail in Florida, and although the defendant has access to a computer, it is uncertain whether that computer will permit him to participate reliably in a videoconference. The parties therefore ask to proceed by telephone.

In the alternative, the parties respectfully request that the Court permit the parties to provide a further status update in one week. That time would allow the parties to investigate further whether the defendant will be able to participate in a videoconference with the Court or, if not, to seek an adjournment.

The September 9, 2020, conference will proceed by teleconference. Defendant should sign and return the attached waiver of physical presence prior to the conference. Defendant's counsel may sign on Defendant's behalf if authorized by Defendant to do so. The Court will issue a scheduling order with the call-in information prior to the conference.
SO ORDERED.

Alison J. Nathan 9/1/2020

CC: Xavier Donaldson, Esq. (By ECF)

Respectfully submitted,

AUDREY STRAUSS
Acting United States Attorney

by: *Andrew A. Rohrbach*
Andrew A. Rohrbach
Assistant United States Attorney
(212) 637-2345

April 10, 2020

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA

-v-

**WAIVER OF RIGHT TO BE PRESENT AT
CRIMINAL PROCEEDING**

-CR- () ()

,
Defendant.

-----X

Check Proceeding that Applies

_____ Arraignment

I have been notified of the specifications of violation of the terms of supervised release that have been filed against me and have discussed the specifications with my attorney. I understand that I have a right to appear before a judge in a courtroom in the Southern District of New York to confirm that I have received and reviewed the specifications; to have the specifications read aloud to me if I wish; and to enter a denial or admission of violation before the judge. By signing this document, I wish to advise the court that I willingly give up my right to appear in a courtroom in the Southern District of New York to be informed of these specifications and to enter a denial or admission.

Date:

Signature of Defendant

Print Name

_____ Supervised Release Conference

I understand that I have a right to appear before a judge in a courtroom in the Southern District of New York at the time the conditions of my release on supervision or my remand to custody are discussed. I have discussed these rights with my attorney and wish to give up these rights for the period of time in which access to the courthouse has been restricted on account of the COVID-19 pandemic. I request that my attorney and I be permitted to participate by telephone, or if it is reasonably available by videoconferencing, in any conference with the court at which such conditions or my remand are discussed.

Date:

Signature of Defendant

Print Name

I hereby affirm that I am aware of my obligation to discuss with my client the specifications of violation of supervised release, my client's rights to attend and participate in the criminal proceedings encompassed by this

waiver, and this waiver form. I affirm that my client knowingly and voluntarily consents to the proceedings being held without my client being physically present in court.

Date:

Signature of Defense Counsel

Print Name

Addendum for a defendant who requires services of an interpreter:

I used the services of an interpreter to discuss these issues with the defendant. The interpreter also translated this document, in its entirety, to the defendant before the defendant signed it. The interpreter's name is:

_____.

Date:

Signature of Defense Counsel

Accepted:

Signature of Judge
Date: